IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc.No.51518-M of 2006

DATE OF DECISION: OCTOBER 23, 2006

Inder Sain Singla

...PETITIONER

VERSUS

Shiv Kumar and another

...RESPONDENTS

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Mr. Arun Singal, Advocate,
for the petitioner.
Mr.S.R.Parashar and
Mr.S.S.Parashar, Advocates,
for respondent No.1.
Mr.Partap Singh, Sr.DAG, Haryana,
for respondent No.2.

...

Petitioner Inder Sain Singla apprehending his arrest in a non-bailable offence in a complaint case filed under Sections 406/420/467/468/471/120-B IPC titled as "Shiv Kumar vs. Inder Sain Singla and others", has filed this petition under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail.

I have heard the counsel for the parties and gone through the contents of the FIR.

The petitioner as well as the complainant are the real brothers. A civil dispute is going on between the parties regarding the validity of the subsequent will dated 19.12.1997 alleged to have been executed by the father of the parties in favour of the petitioner. Subsequently,the complaint has been filed alleging therein that the subsequent will is the forged document and in the said complaint, the petitioner has been summoned.

Counsel for the petitioner contends that in terms of the interim order dated August 29, 2006, the petitioner had appeared before the trial Court and furnished his regular bail bonds which have been accepted and attested and since then he is regularly appearing.

In view of the aforesaid facts and the fact that prior to filing of the complaint, the parties are in civil litigation, without expressing any opinion on the merits of the case, the interim order dated August 29, 2006, is made absolute.

Disposed of accordingly.

October 23, 2006 (SATISH KUMAR MITTAL)
vkg JUDGE